

MINUTES OF THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING

October 15, 1998

BE IT REMEMBERED, That the Board of Trustees of State Institutions of Higher Learning of the State of Mississippi met in regular session at the Board Office in Jackson, Mississippi, on October 15, 1998, at 8:30 a.m., and pursuant to notice in writing mailed by certified letter with return receipt requested on October 2, 1998, to each and every member of said Board, said date being at least five days prior to this October 15, 1998 meeting. At the above named place there were present the following members to wit: Ms. Nan McGahey Baker, Mr. Thomas W. Colbert, Mr. William Sterling Crawford, Ms. Ricki R. Garrett, Mr. J. Marlin Ivey, Mr. James Luvane, Dr. D. E. Magee, Jr., Mr. J. P. (Jake) Mills, Ms. Virginia Shanteau Newton, Mr. Carl Nicholson, Jr. and Dr. Cassie Pennington. Mr. James Roy Klumb was absent. The meeting was called to order by Dr. Cassie Pennington, President, and opened with prayer by Ms. Newton.

APPROVAL OF THE MINUTES

On motion by Mr. Luvane, seconded by Mr. Ivey, with Ms. Newton abstaining, it was

RESOLVED, That the Minutes of the meeting held on September 17, 1998, stand approved.

UNANIMOUS CONSENT (U. C.)

On motion by Ms. Baker, seconded by Mr. Ivey, and unanimously passed, it was

RESOLVED, That consent to be considered is granted to all items not previously placed on the agenda and hereinafter reported.

ADMINISTRATION/POLICY

Presented by Dr. Thomas Layzell
Commissioner of Higher Education

On motion by Mr. Luvane, seconded by Ms. Baker, and unanimously passed, it was

RESOLVED, That the Board hereby approves the following report on Administration/Policy.

University of Mississippi Medical Center

1. Approved employment of the following personnel: Alicia L. Cooper and Donna Robinette.
2. Approved change of status as follows: Marjorie R. Solomon.

System Administration

3. Approved the amendment to sections 607.04, Athletic Revenue and Expenditures, and 607.05, Scholarships for Student Athletes, of the *Board Policies and Bylaws* for a first reading. The amendments are included in the bound *October 15, 1998 Board Working File*.
4. **Information item.** Emergency approval of foreign travel was granted by Commissioner Thomas D. Layzell per *Board Policy* 703.0103 for the following:

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Delta State University

Ford, Susan Allen

Quebec City, Canada

Mississippi State University

Silva, Juan L.

Carracas, Venezuela

University of Mississippi Medical Center

Andrew, Michael

London, Ontario, Canada

Henderson, Francis

London, Ontario, Canada

Wyatt, Sharon

London, Ontario, Canada

INSTRUCTION/STUDENTS

Presented by Dr. William McHenry
Assistant Commissioner of Academic Affairs

On motion by Mr. Crawford, seconded by Ms. Baker, and unanimously passed, it was

RESOLVED, That the Board hereby approves the following report on Instruction/Students.
UNANIMOUS CONSENT item #4 was approved on a separate motion by Ms. Baker,
seconded by Mr. Ivey, and unanimously passed.

Delta State University

1. Approved the request for a change in the name of the Bachelor of Science in General Studies degree (BSGS) with a major in social sciences to the Bachelor of Science degree (BS) with a major in social sciences (CIP 45.0101.5098).
2. Approved the intent to request a new program, the Bachelor of Music Degree (CIP 50.0901).

Mississippi State University

3. Approved the request to suspend the Master of Computer Science degree (CIP 11.0101.4086).

University of Mississippi

4. **(U. C. Item)** Approved the request for a new degree program, Bachelor of Arts in Education degree with a major in foreign languages education (CIP 13.1306).

PERSONNEL

Presented by Dr. Marilyn Beach
Director of Accreditation and Professional Programming

On motion by Mr. Luvene, seconded by Ms. Garrett, and unanimously passed, it was

RESOLVED, That the Board hereby approves the following report on Personnel.
UNANIMOUS CONSENT items were approved on a separate motion by Ms. Baker,
seconded by Mr. Ivey, and unanimously passed.

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The Personnel Report for October 15, 1998, is composed of **68 regular personnel actions** in the following categories:

EMPLOYMENT

Mississippi State University

Hanson, Terrill R.
Inglis, Gordon D.
Thompson, Warren G.

University of Mississippi

Bentley, John P.
Collier, Barbara
Guest, Ronny D.
Tidwell, Katherine M.
Tyner, L. Lee, Jr.

University of Mississippi Medical Center

Breeding, Larry C.

University of Southern Mississippi

Gibson, James B.
Wolfe, Joy (U. C. Item)

TERMINATION

Delta State University

Eduardo, Marcelo
Hey, William T.
Leach, Francis
Maritt, Brad R.
Peters, Dorothy L.
Praytor, Robert

Jackson State University

Bolton, Frazier
Kelso, Vanetta Robinson

Mississippi State University

Betz, Scott J. (U. C. Item)
Chance, Christopher L. (U. C. Item)
Corrigan, Stephanie (U. C. Item)
Crews, John
George, Robert T.
Gillaspie, Lynn C. (U. C. Item)
Gunn, Willie H. (U. C. Item)
Kaatze, James B. (U. C. Item)
Krol, Maria (U. C. Item)
MacMillan, Duncan (U. C. Item)
McCarthy, Paul E.
McCarthy, Sheila K. (U. C. Item)
Moore, James M. (U. C. Item)

Oliver, Amie (U. C. Item)

Panayiotou, Georgia (U. C. Item)

Rice, Charles D.

Robinson, Daniel H. (U. C. Item)

Schneider, Kenneth R. (U. C. Item)

Wolverton, Robert E., Jr. (U. C. Item)

Woodward, Kristen T. (U. C. Item)

Yadama, Vikram

Mississippi University for Women

Lynch, Onita

Mississippi Valley State University

Breyley, James
Jack, O'Dell
Scott, Sandra C.

University of Mississippi

Anderson, Douglas, Jr.
Bhattacharyya, Sukanta
Broughton, Linda
Crump, Julia W.
Erickson, Mark S.
Frate, Juliet B.
Graham, A. Steven
Kildegaard, Arne
Kolaini, Ali R.
Rader, Janet B.
Rheingans, Penny L.
Szeinbach, Sheryl L.
Williams, Bruce B.

University of Southern Mississippi

Cole David A.
Johnson, Beatrice B.
Jones, Mary K.

RESIGNATION

University of Mississippi Medical Center

Scalzo, David

APPOINTMENT

Mississippi State University

Portera, Malcolm

EDUCATIONAL LEAVE

Alcorn State University

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Abdullah, Carolyn
Coleman, Janice
Thompson, Valerie
Udemgba, Benny

Green, Edna

FACULTY TENURE

University of Southern Mississippi
Cotten, Donald R.

ATHLETICS

Presented by Dr. Marilyn Beach
Director of Accreditation and Professional Programming

On motion by Mr. Ivey, seconded by Mr. Luvene, and unanimously passed, it was

RESOLVED, That the Board hereby approves the following report on Athletics.
UNANIMOUS CONSENT items were approved on a separate motion by Ms. Baker,
seconded by Mr. Ivey, and unanimously passed.

TERMINATION

Delta State University
Garris, John Franklin

University of Mississippi
Meagher, Thomas J.
Swagel, Jodi L.

Mississippi State University
Curtis, Guy S. (U. C. Item)
Sherman, John A. (U. C. Item)

LEGAL

Presented by Mr. Chuck Rubisoff
Special Assistant Attorney General

On motion by Ms. Newton, seconded by Mr. Crawford, and unanimously passed, it was

RESOLVED, That upon review and recommendation of the Office of the Attorney General,
the Board hereby approves Agenda Items #2-5. **UNANIMOUS CONSENT** item #1 was
approved on a separate motion by Ms. Baker, seconded by Mr. Ivey, and unanimously
passed.

Mississippi University for Women

1. (U. C. Item) Approved request to obtain outside legal counsel for services in applying for a license with the Federal Communication Commission for the campus radio station, WMUW.

University of Mississippi Medical Center

2. Approved the request for permission to retain outside legal counsel, Hooper, Lundy & Bookman, Inc. of Los Angeles, California, in a class action appeal and potential lawsuit against Health Care Finance Administration (HCFA) to recover additional payments for the outlier cases on the grounds that the Medicare program failed to pay sufficient outlier payments as required by the Social Security Act.

System Administration

3. Approved payment of legal fees to outside counsel in relation to patent work for universities,

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as follows:

Payment of legal fees for professional services rendered by Oblon, Spivak, McClelland, Maier & Neustadt, P.C. (statements dated 8/12, 8/17, 8/31, and 8/31/98) from the funds of Mississippi State University. (These statements represent services and expenses in connection with obtaining patents on "Method for Genotype-Independent Nuclear and Plastid Transformation Coupled with Clonal Regeneration Utilizing Mature Zygote Embryos in Rice (*Oryza Sativa*) Seeds" - \$152.35, "Improved Soilless Sod" - \$245.53, "Methods for Maize Transformation" - \$245.76 and "Soybean Transformation and Regeneration Methods" - \$2,771.00.)

TOTAL DUE\$3,414.64

Payment of legal fees for professional services rendered by Carver Patent Law Ltd. (statement dated 8/14/98) from the funds of the University of Mississippi Medical Center. (This statement represents services and expenses in connection with "Method to Measure Undesired Dialysis Recirculation".)

TOTAL DUE\$114.00

Payment of legal fees for professional services rendered by Morgan & Finnegan (statement dated 7/31/98) from the funds of the University of Mississippi. (This statement represents services and expenses in connection with obtaining patents on "Samidazoles; New Fungicidal Agents . . .".)

TOTAL DUE\$1,712.06

4. Approved payment of legal fees to outside counsel in relation to litigation, as follows:

Payment of legal fees for professional services rendered by Randy Pierce of Bryan, Nelson, Randolph & Weathers, (statement dated 8/10/98) from the funds of the University of Mississippi. (This statement represents services and expenses in connection with an action to quiet and confirm title to property in George County.)

TOTAL DUE\$303.60

Payment of legal fees for professional services rendered by Lawrence Bernstein, (statement dated 8/4/98) from the funds of the University of Mississippi. (This statement represents services and expenses in connection with legal work for the Student Media Center re: Renewal of campus radio/television license.)

TOTAL DUE\$202.89

Payment of legal fees for professional services rendered by Watkins & Eager, PLLC, (statement dated 9/21/98) from the funds of the Board of Trustees of State Institutions of Higher Learning. (This statement represents services and expenses in connection with the *Ayers* case.)

TOTAL DUE\$37,350.64

5. Approved, upon review and recommendation of the Office of the Attorney General, the Litigation Report for October 1, 1998. The report is included in the bound copy of the

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October 15, 1998 Working File on file in the Board office.

FINANCE/FINANCIAL AID/FOREIGN TRAVEL

Presented by Mr. Jim Rhodes

Assistant Commissioner of Finance and Administration

On motion by Mr. Crawford, seconded by Ms. Baker, and unanimously passed, it was

RESOLVED, That the Board hereby approves the report on Finance/Financial Aid/Foreign Travel. **UNANIMOUS CONSENT** items were approved on a separate motion by Ms. Baker, seconded by Mr. Ivey, and unanimously passed.

System Administration

1. Approved the following report on Foreign Travel.

Alcorn State University

Bates, George	Mexico City, Mexico
Cuadra, Evelin	Mexico City, Mexico

Jackson State University

Collier, Lula	Paris, France
Graves, Bettye R.	St. Thomas, Virgin Islands
Mack, Ally	Bamako, Mali and Luanda, Angola
Smith, Theresa	St. Thomas, Virgin Islands

Mississippi State University

Baldwin, Brian S.	Tampico, Mexico
Bartkowski, John	Montreal, Canada
Berk, Michael A.	Quebec City, Canada
Culver, Virgil P.	Fundayacucho, Venezuela
DelPrince, James M.	Toronto, Canada
Grace, Laura A.	Stockholm, Sweden and vicinity (U. C. Item)
Gamble, Douglas W.	San Salvador Island, Bahamas
Graham, J. Wesley	Tampico, Mexico
Lynn, Bert C.	La Benerie, Limours and Essonne, France
Ma, Wenchao	Paradise Island, Bahamas
Mosley, Jeff	Tampico, Mexico
Myloie, Joan	Toronto, Canada
Myloie, John	Toronto, Canada
Panuska, Bruce C.	San Salvador Island, Bahamas
Piercey, Robert B.	Toronto, Canada, Miami, Florida and Paradise Island, Bahamas
Rendon-Herrero, Oswald	San Juan, Puerto Rico
Shmulsky, Rubin	Toronto, Canada
Spencer, Barbara A.	Beijing, People's Republic of China
Vielella, Francisco J.	San Juan, Puerto Rico
Zhu, Jianping	Hangzhou, China

University of Mississippi

Belongia, Michael	Vienna and Zurich, Switzerland
Gispen, Kees	Kassel, Germany
Henry, Kathy	San Juan, Puerto Rico

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Jones, Alan B.	Toronto, Canada
King, Debbie	Cancun, Mexico
Martin, Alfred	San Juan, Puerto Rico
Parks, Bruce	Toronto, Canada and San Juan, Puerto Rico
Pasco, David	Vancouver, British Columbia, Canada
Robinson, Douglas	Granada, Spain
Rychlak, Ronald	Prague, Czech Republic
Slattery, Marc	Lizard Island, Australia
Smith, Ginger	San Juan, Puerto Rico
Wade, Maggie	San Juan, Puerto Rico
Wang, Sam	Bangkok, Thailand

University of Mississippi Medical Center

Anand, Vinod K.	New Delhi, India
Batiest, Sadie	Toronto, Canada
Cardenal, Theresa	Montreal, Canada
Chen, Ching J.	Taipei, Taiwan
Cowan, Bryan D.	Toronto/Hamilton, Ontario, Canada
Davidson, Victor	Leicester, England
Dukes, Diane	Toronto, Ontario, Canada
Elkins, Stephanie	Brussels, Belgium
Files, Suzanne M.	Brussels, Belgium
Gitter, Morris	Maui, Hawaii
Haines, Duane	Grandada, West Indies
Halaris, Angelos	El Conquistador, Las Croabas, Puerto Rico
Heath, Cas	Maui, Hawaii
Hughes, James L.	Zurich, Switzerland
Joyner, Brian	Maui, Hawaii
McGuire, Robert A.	Davos, Switzerland
McLellan, Carol	Montreal, Canada
Miller, Suzanne	Montreal, Canada
Rush, Craig R.	El Conquistador, Las Croabas, Puerto Rico
Salem, Mahmoud	Bologna, Italy
Shure, Deborah	Toronto, Ontario, Canada and Manila, Philippines
Stewart, Robert N.	Toronto, Ontario, Canada
Still-Bates, Kristi	Montreal, Canada
Tarquinio, Thom A.	Davos, Switzerland
Tibbs, Robert E., Jr.	Marseille, France
Walker, Rosalyn C.	Montreal, Canada
Wright, Lynda R.	Toronto, Ontario, Canada
Zhu, Wenming	Chengdu, China

University of Southern Mississippi

Asper, Vernon	Hawaii and Antarctica
Beyea, Deborah S.	Mexico
Dow-Adams, Martha	Chile
Hawkins, William	Hawaii and Japan
Henthorne, Tony	Mexico
Mackaman, Douglas	Paris
Mattson, Gerald	Canada
Niroomand, Farhang	Austria
Poss, Stephen	Canada
Stuck, Lidia	Australia

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FACILITIES

Presented by Mr. John Bowman, Assistant Commissioner
of Construction and Physical Affairs

On motion by Mr. Colbert, seconded by Mr. Luvene, and with **Mr. Nicholson present, not voting on item #38**, it was

RESOLVED, That the Board hereby approves the following report on Facilities. **UNANIMOUS CONSENT** items **#3-7** and **#39** were approved on a separate motion by Ms. Baker, seconded by Mr. Ivey, and unanimously passed.

Alcorn State University

1. Approved contract documents for **IHL #201-124B, Voice and Data Inside Cabling Project**, as developed by design consultant David A. Tant, P. L. S. Inc., and advertisement for the receipt of bids. The estimated cost of this project is \$450,000. Funds will be secured from the Master Lease Program.

Delta State University

2. Approved contract documents and advertisement for the receipt of bids for **GS #102-165, Court of Governors Renovation Stage I**. Funds are available from S. B. 3254, Laws of 1998, and university sources.

Jackson State University

3. **(U. C. Item)** Approved the request for available lease space of 1,150 square feet at the Jackson Medical Mall Foundation for twelve months at \$623 per month.
4. **(U. C. Item)** Approved schematic documents for **GS #103-166, W. Lynch Street Corridor-Phase I**. Funds are available from S. B. 3120, Laws of 1996.
5. **(U. C. Item)** Approved schematic documents for **IHL #205-121, New Campus Support Facility**. Funds are available from the National Institute of Health, grant #632186.
6. **(U. C. Item)** Approved initiation of a project and appointment of project professional, Jackson State University Department of Facilities Management, to replace the **Athletic & Assembly Center Gym Floor, IHL #203-124**. Funds are available in the amount of \$87,840 from university sources.
7. **(U. C. Item)** Approved the request to transfer \$600,000 from S. B. 3252, Laws of 1995, to the funding budget of **GS #103-171, Liberal Arts F & E** for the purchase of furniture, telephone/data wiring and equipment.

Mississippi State University

8. Approved construction documents and advertisement for the receipt of bids for **IHL #205-180, Emergency Repairs to Arbour Acres Apartments**. Funds are available in the amount

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of \$950,000 from excess repair and renovation reserves in Multiple Housing System Bond Issues.

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9. Approved initiation of a project and the appointment of project professional, Hartley P. Fairchild and Associates, P. A., for **IHL #205-181, Sanderson Center Landscape Improvements**. Also, approved the construction documents for this project. The estimated project cost is \$150,000. Funds are available in the amount of \$150,000 from Mississippi State University Educational Building Corporation Bond Funds.
10. Approved design development documents for **GS #105-266, Hilbun Hall Renovation**, and request approval of the Bureau of Buildings, Grounds and Real Property Management. Funds are available in the amount of \$4,500,000 from H. B. 1843, Laws of 1997, and \$2,000,000 from S. B. 3254, Laws of 1998.
11. Approved the removal from inventory of a sheep shelter located at the Animal Research Center, Mississippi State University. The building was destroyed by a wind storm and the cost to renovate would not be an efficient use of funds. The usable materials from the building will be salvaged.
12. Approved construction documents for **GS #105-257, Water Well**, and request approval of the Bureau of Buildings, Grounds and Real Property Management. Funds are available from the Bureau of Buildings, Grounds and Real Property Management in the amount of \$500,000 from H. B. 1666, Laws of 1996.
13. Approved design development documents for **IHL #205-148, Repairs and Renovations to 15 Residence Halls**. The scope of work will be limited to renovations of Sessums, McKee and Hamlin residence halls. Funds are available in the amount of \$6,500,000 from Mississippi State University Educational Building Corporation Bond Funds.
14. Approved Change Order #3 in the amount of \$15,943.20 with an increase in contract time of twelve calendar days for **IHL #205-172, Sanderson Center Parking Lot**. The change will raise the finished grades of the drive, island and parking cell in the southwest corner of the lot to reduce the steep grade of the drive and ease the transition from the existing parking area to the new lot. Funds are available in the amount of \$616,900 from the Mississippi State University Educational Bond Corporation.
15. Approved Change Order #1 in the amount of \$1,764.40 to the contract of Phillips Contracting Company, Inc., for **IHL #205-176, Parking Lot A, South of Hand Lab**. The change will provide for the removal of concrete uncovered during the construction. Funds are available in the amount of \$212,324 from Educational Enhancement H. B. 400.

Mississippi University for Women

16. Approved the appointment of project professional Pryor & Morrow Architects for **GS #104-128, South Callaway Hall Renovation - Phase I**. Funds are available in the amount of \$950,000 from S. B. 3254, Laws of 1998. Bidders included Pryor & Morrow Architects, Staub Robison Williams Architects and McCarty Architects, PA.
17. Approved Change Order #2 in the amount of \$328 with an additional twenty-one calendar days to the contract time for **GS #104-116, Shattuck Hall Renovations, Phase I North Annex**. Funds are available in the amount of \$1,286,796 from H. B. 1666, Laws of 1996.

Mississippi Valley State University

18. Approved payment for professional services in the amounts of \$2,662.50 and \$13,322.50 to David A. Tant, P. L. S. Inc., for **IHL #206-003, New Administration Building**.

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- Professional fees totaled \$15,985.
19. Approved payment #3 in the amount of \$31,892.85 to Kenneth R. Thompson, Jr., Builder, for work completed on **IHL #206-005, Track Renovations**.
20. Approved request to develop a resolution authorizing the retirement of revenue bonds for construction of dormitory (1961), faculty housing Student Union Series A (1968) and Series B (1968). When developed, the resolution will be forwarded to the Bank of New York, the bonding institution. The University will be remitted a total of \$9,787.44.

University of Mississippi

21. Approved bids and award of contract to the low bidder, Camco Construction Company, in the amount of \$324,915.32 for **IHL #207-174, Partial West Parallel Taxiway** at the University/Oxford airport. Funds are available from a 90% matching grant from the FAA, a 5% matching grant from the State Aeronautics Commission and a 5% matching grant from the University Airport Account for a total of \$324,915.32. Bids were as follows:

Contractor	Base Bid
1. Camco Construction Company	\$324,915.32
2. Oxford Sand Company, Inc.	\$439,221.03
3. B & B Concrete Company, Inc.	\$459,939.61
4. Eutaw Construction Company	\$471,388.30

22. Approved construction documents and advertisement for the receipt of bids for **IHL #207-161, Renovation of the Old Chapel (“Y” Building)** for the Croft Institute for International Studies, as submitted by project design professionals Cooke, Douglass, Farr, Lemons, LTD. The estimated cost of construction is \$2,325,000. Funds are available in the amount of \$2,750,000 from private sources.

University of Mississippi Medical Center

23. Approved contract documents and advertisement for the receipt of bids for **IHL #209-391, LB828 Building Renovations Project**. Funds are available in the amount of \$170,000 from university sources in the form of interest income.
24. Approved the initiation of a project and the appointment of project professional Dean and Dean, Associates Architects, P. A., for **IHL #209-397, N136 Renovations**. Funds are available in the amount of \$120,000 from university sources in the form of inpatient revenue and indirect cost income.
25. Approved Change Order #20 in the amount of \$83,930 with an increase in contract time of seven calendar days for **IHL #209-281, Perinatal Center**. The change will furnish all labor and material to install additional hardware as requested by the owner. Funding is available from Medical Center Educational Building Corporation Bonds.
26. Approved Change Order #1 with a decrease in the contract sum of \$10,676 and an increase in contract time of forty-five calendar days for **IHL #209-370, Orthopaedic Surgery Renovations**. The change will provide for owner requested changes. Funds are available in the amount of \$90,000 in the form of indirect cost income.

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27. Approved Change Order #1 in the amount of \$18,059.22 with an increase in contract time of thirty-two calendar days for **IHL #209-382, Network Cabling-Basic Sciences Departments**. The change will add outlets. Funds are available in the amount of \$112,000 from Overhead Funds.
28. Approved the initiation of an in-house project for renovations to six north areas for **Pulmonary, IHL #209-396**. Funds are available in the amount of \$60,000 in the form of interest income.
29. Approved Change Order #15 in the amount of \$4,812 with no increase in contract time for **GS #109-150, Clinical Lab Renovations** and request approval of the Bureau of Buildings, Grounds and Real Property Management. The change will provide for additional electrical work. Funds are available in the amount of \$5,153 from S. B. 3057, Laws of 1992, and University Medical Center Hospital patient revenue.
30. Approved Change Order #5 in the amount of \$7,448 with an increase in contract time of seven calendar days for **GS #109-165, School of Nursing Expansion**, and request approval of the Bureau of Buildings, Grounds and Real Property Management. The change will provide labor and equipment for miscellaneous owner requested changes. Funds are available from S. B. 3252, Laws of 1995, and H. B. 1666, Laws of 1996.
31. Approved Change Order #14 in the revised amount of \$10,475.04 with an increase in contract time of sixty calendar days for **GS #109-150, Clinical Lab Renovations**, and request approval of the Bureau of Buildings, Grounds and Real Property Management. The change will provide for additions to the fire safety system. Funds are available in the amount of \$4,333 by the University Medical Center Hospital patient revenue and from S. B. 3057, Laws of 1992. This is a revision to the original Change Order #14.
32. Approved Change Order #3 in the amount of \$41,714.30 with an increase in contract time of six days for **IHL #209-261, Parking Garage C Project**. The change will install electrical distribution equipment. Funding is available from inpatient hospital revenue.
33. Approved the initiation of an in-house project for **IHL #209-399, Cafeteria Range Hood Revisions**. Funds are available in the amount of \$58,700 in the form of patient revenue.
34. Approved bids and award of contract to the low bidder, Mid-Mississippi Mechanical, Inc., in the amount of \$58,700 for **IHL #209-399, Cafeteria Range Hood Revisions**. Funds are available in the amount of \$58,700 in the form of patient revenue.

University of Southern Mississippi

35. Approved design development documents and authorized the architect to proceed with the contract documents for **GS #108-165, Walker Science Building Renovation**, and request approval to proceed from the Bureau of Buildings, Grounds and Real Property Management. Funds are available in the amount of \$1,236,700.62 from H. B. 1666, Laws of 1996, and \$3,000,000 from H. B. 1843, Laws of 1997, for a total of \$4,236,700.62.
36. Approved appointment of project professional Slaughter, Allred & McNabb P. A. for **GS #108-170, Visualization Center/Stennis Center**, and request approval by the Bureau of Buildings, Grounds and Real Property Management. Funds are available in the amount of \$675,000 from H. B. 1843, Laws of 1997.

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37. Approved contract documents and advertisement for the receipt of bids for **IHL #208-233, Hub to Library Pedestrian Plaza**. Total estimated cost is \$961,140. Funds are available in the amount of \$631,016 from the Mississippi Department of Transportation Enhancement Program-MDOT FY 96 and \$330,126 from the University of Southern Mississippi Plant Fund for the balance.
38. Approved the request for permission to grant an easement to the City of Hattiesburg, Mississippi along the north side of Classic Drive at the Equestrian Center area for the construction of streets, drainage and utility systems.
39. **(U. C. Item)** Approved request for permission to purchase property adjacent to the existing USM Gulf Coast campus located at 113 Beach Park Place. The estimated cost of the property is \$86,000. Funds are available in the Renovation Account.

BOARD DINNER

Dr. Pennington thanked Dr. Wallace Conerly, Vice Chancellor of the University of Mississippi Medical Center, and his faculty and staff for hosting the October Board dinner.

PRESIDENTS' COUNCIL

Presented by Dr. Clinton Bristow, Jr., President

The Presidents' Council discussed the following items:

1. Discussed Board Retreat issues and will continue follow-up of issues at the November meeting.
2. The State Superintendent of Education will appear before the Council at the November meeting to discuss K-12 collaborations.
3. Discussed campus visits. The Institutional Executive Officers will be visiting each campus starting with the University of Southern Mississippi in January. The objectives are as follows:
 - a. To examine the strengths of each institution;
 - b. To evaluate the needs of each institution; and
 - c. To identify the opportunities for collaboration among the institutions.
4. Discussed teleconferencing as a new format for the Council meetings. Decided to plan for a teleconference in January or February.
5. Discussed the Energy Reduction Statute. The Commissioner will follow-up as proposed amendments are being presented in reference to this statute.
6. Discussed the Gulf Coast Study.
7. Discussed Title IX. Received and accepted a report from Dr. Kent Wyatt's Committee regarding Title IX issues.

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COMMITTEE REPORTS

**Academic & Student Affairs Committee
Wednesday, October 14, 1998**

The Committee was brought to order by Ms. Baker, Chair. The Committee discussed the following issues.

1. Gulf Coast Status Report
A status report was received for information purposes in regard to the Gulf Coast Study.
2. The University of Southern Mississippi Polymer Science/Engineering Status Report
A status report was received for information purposes in regard to the University of Southern Mississippi's Polymer Science/Engineering.
3. Jackson Engineering Consortium Status Report
A status report was received for information purposes in regard to the Jackson Engineering Consortium.
4. New Degree Program in Foreign Languages Education at the University of Mississippi
On motion by Ms. Newton, seconded by Ms. Garrett, and unanimously passed, the Committee recommended that the Board approve the request for a new degree program, the Bachelor of Arts in Education degree with a major in foreign languages education.

No further action was taken.

The following members of the Committee were present: Ms. Baker (Chair), Mr. Crawford, Ms. Garrett and Ms. Newton. Other Board Members attending the meeting were: Mr. Ivey, Dr. Magee, Mr. Mills and Mr. Nicholson.

**Budget & Financial Affairs Committee
Wednesday, October 14, 1998**

The Committee was brought to order by Mr. Nicholson, Chair. The Committee discussed the following issues.

1. The University of Southern Mississippi Financial Audit
The University of Southern Mississippi Financial Audit was received by the Committee for information purposes.
2. Athletic Revenue and Expenditure Policy
The Committee accepted the proposed new policies, Section 607.04, Athletic Revenue and Expenditures, and Section 607.05, Scholarships for Student Athletes, of the *Board Policies and Bylaws* for a first reading.
3. Annual Report of Additional Compensation
The Annual Report of Additional Compensation was received for information purposes.

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4. Mississippi Valley State University Debt Retirement Resolution
On motion by Dr. Pennington, seconded by Mr. Crawford, and unanimously passed, the Committee recommended that the Board approve the request to develop a resolution authorizing the retirement of revenue bonds for construction of dormitories (1961), faculty housing Student Union Series A (1968) and Series B (1968). This recommendation is contingent upon the approval of the Commissioner, the Attorney General's Office, and bond counsel.

No further action was taken.

The following members of the Committee were present: Mr. Nicholson (Chair), Mr. Crawford, Mr. Ivey, Dr. Magee and Dr. Pennington (ex-officio member). Other Board Members attending the meeting were: Ms. Baker, Ms. Garrett, Mr. Mills and Ms. Newton.

**Building/Facilities Committee
Wednesday, October 14, 1998**

The Committee was brought to order by Mr. Mills, Chair. The Committee discussed the following issues.

1. The University of Southern Mississippi Easement
On motion by Mr. Luvene, seconded by Dr. Pennington, and unanimously passed, the Committee recommended that the Board approve the request for permission to grant an easement to the City of Hattiesburg, Mississippi along the North side of Classic Drive at the Equestrian Center area for the construction of streets, drainage and utility systems.
2. The University of Southern Mississippi Property Purchase
On motion by Mr. Luvene, seconded by Dr. Pennington, and unanimously passed, the Committee recommended that the Board approve the request for permission to purchase property adjacent to the existing USM Gulf Coast campus. The estimated cost of the property is \$86,000. Funds are available in the Renovation Account.

No further action was taken.

The following members of the Committee were present: Mr. Mills (Chair), Mr. Luvene and Dr. Pennington (ex-officio member). Other Board Members attending the meeting were: Ms. Baker, Ms. Garrett, Mr. Ivey, Dr. Magee and Ms. Newton.

**Intercollegiate Athletics Committee
Wednesday, October 15, 1998**

The Committee was brought to order by Mr. Luvene, Chair. The Committee discussed the following issues.

1. Title IX Committee Report
The Committee received a status report for information purposes in regard to Title IX compliance.
2. Economic Impact Study
The Economic Impact Study will be discussed at the November Board meeting.

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No action was taken.

The following members of the Committee were present: Mr. Luvene (Chair), Ms. Baker, Mr. Crawford and Mr. Nicholson. Other Board Members attending the meeting were: Ms. Garrett, Mr. Ivey, Dr. Magee, Mr. Mills and Ms. Newton.

**Legal Committee
Wednesday, October 14, 1998**

The Committee was brought to order by Dr. Magee, Chair. The Committee discussed the following issues.

1. Request by University of Mississippi Medical Center to Retain Outside Legal Counsel
On motion by Mr. Mills, seconded by Mr. Nicholson, and unanimously passed, the Committee recommended that the Board approve the request for permission to retain outside legal counsel in a class action appeal and potential lawsuit against Health Care Finance Administration (HCFA).
2. *Vadie v. Mississippi State University*
A status report was received for information purposes in regard to *Vadie v. Mississippi State University*.
3. Employment of Legal Counsel at the University of Mississippi
On motion by Mr. Nicholson, seconded by Mr. Mills, and unanimously passed, the Committee recommended that the Board approve the employment of legal counsel, L. Lee Tyner, as Associate University Attorney at The University of Mississippi.
4. Other Business
On motion by Mr. Nicholson, seconded by Mr. Mills, and unanimously passed, the Committee recommended that the Board approve the employment of legal counsel, Joy Wolfe, as Associate University Attorney at The University of Southern Mississippi.

The Committee received an update on litigation at Mississippi State University.

The Committee received an update on an investigation at Jackson State University.

The Committee received an update on litigation at the Gulf Coast Research Lab.

No further action was taken.

The following members of the Committee were present: Dr. Magee (Chair), Mr. Ivey, Mr. Mills and Mr. Nicholson. Other Board Members attending the meeting were: Ms. Baker, Ms. Garrett, Mr. Luvene and Dr. Pennington.

**Point Cadet Review Committee
Wednesday, October 14, 1998**

The Committee was brought to order by Ms. Newton, Chair. The Committee discussed the following issues.

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1. Status Report

The Committee received a status report for information purposes in regard to real estate matters. The Committee also received a request for proposal for a Point Cadet Long-Range Planning Study which was submitted by the Institute of Marine Sciences, the University of Southern Mississippi.

No action was taken.

The following members of the Committee were present: Ms. Newton (Chair), Mr. Nicholson and Dr. Pennington (ex-officio member). Other Board Members attending the meeting were: Ms. Baker, Ms. Garrett, Mr. Ivey, Mr. Luvane, Dr. Magee and Mr. Mills.

PLANNING COMMITTEE Thursday, October 1, 1998

The Committee was brought to order by Mr. Crawford, Chair. The Committee discussed the following:

1. Values, Principles, Hopes and Aspirations of the System.

Mr. Crawford led the group through a visioning process. He asked the Committee to think about essential values, principles, hopes and aspirations which should guide the IHL system that might be included in a vision statement for the system.

2. Consideration Process for Sensitive or Controversial Issues.

Dr. Layzell provided the Committee with a process for consideration of sensitive or controversial issues. Although voicing some concerns, the Committee agreed that a fact-based process could lead to useful compromises and would be a positive, necessary feature for planning.

No action was taken.

The following members of the Committee were present: Mr. Crawford (Chair), Ms. Baker, Mr. Colbert and Dr. Magee. Other Board Members attending the meeting were: Mr. Luvane and Ms. Garrett.

EXECUTIVE SESSION

On motion by Ms. Newton, seconded by Mr. Nicholson, and unanimously passed, the Board voted to close the meeting to determine whether or not it should declare an Executive Session. On motion by Ms. Baker, seconded by Mr. Crawford, and unanimously passed by those present, the Board **voted to go into Executive Session**, for the reason later reported by the President in Open Session and stated in these minutes, as follows:

Discussion of *Ayers* case with Counsel; and
Discussion of System Personnel Matter.

On motion by Mr. Crawford, seconded by Ms. Baker, and unanimously passed by those present, the Board voted to return to Open Session.

The following report on the Executive Session was given by the President:

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Update on *Ayers* from Counsel; and
Update on System Personnel Matter.

No action was taken.

ADJOURNMENT

There being no further business to come before the Board, on motion by Mr. Mills, seconded by Ms. Garrett, the Board members voted unanimously to adjourn.

President, Board of Trustees of State Institutions of Higher Learning

Commissioner, Board of Trustees of State Institutions of Higher Learning